

# SENATE BILL No. 278

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-43-4-2.4.

**Synopsis:** Retail theft. Makes it retail theft, a Class C felony, for a person to exert unauthorized control over another person's property having a fair market value of at least one thousand dollars (\$1,000), if the offense is committed: (1) at a retail establishment; and (2) with the intent to resell the property.

**Effective:** July 1, 2009.

### Head

January 7, 2009, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

C  
o  
p  
y



First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 278

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 35-43-4-2.4 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2009]: **Sec. 2.4. (a) As used in this section, "retail establishment"**  
4 **means a place of business where tangible personal property is sold**  
5 **to the general public. The term does not include an establishment**  
6 **where more than fifty percent (50%) of the property is sold for**  
7 **resale.**

8       **(b) A person who exerts unauthorized control over another**  
9 **person's property with a fair market value of at least one thousand**  
10 **dollars (\$1,000):**

11       **(1) at a retail establishment; and**  
12       **(2) with the intent to resell the property;**  
13 **commits retail theft, a Class C felony.**

14       SECTION 2. [EFFECTIVE JULY 1, 2009] **IC 35-43-4-2.4, as**  
15 **added by this act, applies only to crimes committed after June 30,**  
16 **2009.**



C  
o  
p  
y